

IN THE CLAIMS:

The text of all pending claims, including withdrawn claims, is set forth below. Cancelled and not entered claims are indicated with claim number and status only. The claims as listed below show added text with underlining and deleted text with ~~striketrough~~. The status of each claim is indicated with one of (original), (currently amended), (cancelled), (withdrawn), (new), (previously presented), or (not entered).

Please ADD new claim 14 in accordance with the following:

1. (previously presented) A network server load detection method comprising:
monitoring a communication from a client to a server, the communication including at least one connection having a communication data size;
calculating a load of said server based on the communication data size of the connection;
detecting a change in the communication data size of the connection;
recording a maximum size value of the communication data size; and
judging, if the communication data size of the connection decreases with respect to the recorded maximum size value, that said server is under a high load.
2. (previously presented) A network server load detection method according to claim 1, further comprising counting a number of connections including the at least one connection and the communication data size until a monitored count of communications reaches a monitored communication minimum count and until a count time reaches a monitor minimum time.
3. (previously presented) A network server load detection method according to claim 1, further comprising recognizing communications of a start and end of the connection, and excluding communication data sizes of the start and end of the connection from the calculated load.
4. (previously presented) A network server load detection method according to claim 1, further comprising:
retaining information of the communication of the start of connection till the connection is ended or established;
detecting the communication of the start of connection for re-connection executed when judging that said client fails to connect on the basis of the information retained; and

setting a rate at which the communication of the re-connection occupies the number of the communications of the start of connection as a load of said server and, if this rate is high, judging that said server is under the high load.

5. (previously presented) A network server load detection method according to claim 1, further comprising:

- obtaining a distribution of the communication data sizes from said clients;
- distinguishing between extremely small pieces of communication data unrelated to the load of said server from the communication data size distribution; and
- eliminating the extremely small pieces of communication data from the judgement about the load.

6. (previously presented) A network server load detection method according to claim 1, further comprising:

- obtaining a sequence number from the communication to said server from said client;
- retaining a maximum value of the sequence number till the connection is ended since the start of connection;
- comparing the sequence number of the communication received with the sequence number retained: and
- excluding, if the sequence number obtained from the communication is smaller than the sequence number retained, this communication from counting.

7. (previously presented) A network server load detection method according to claim 6, further comprising:

- counting, if the sequence number obtained from the communication is smaller than the sequence number retained, the communication data after executing a weighting process thereon, or predicting a communication data size when there is no problem on a route from the two sequence numbers, and counting the predicted data size for detecting the load.

8. (previously presented) A network server load detection method comprising:
monitoring a communication to a client from a server, and counting a receivable data size and a connection count of which said server notifies said client;

- obtaining the receivable data size per connection as a server load;
- storing a maximum value of the receivable data size per connection, and judging, if the receivable data size per connection becomes small with respect to the maximum value, that said server is under a high load.

9. (original) A network server load detection system for monitoring a communication to a server from a client and detecting a load state of said server, comprising:

data size calculating means for calculating a size of communication data per connection;

storage means for detecting a change in the communication data size per connection, and storing a maximum value; and

load detection means for detecting a high load of said server when the communication data size per connection at that point of time with respect to the maximum value is equal to or smaller than a fixed value.

10. (canceled)

11. (canceled)

12. (canceled)

13. (canceled)

14. (new) A method for determining a load on a computer, comprising:

determining an amount of data communication between the computer and a second device; and

judging the load on the computer according to the amount of data communication, said judging of the load being made according to a change in the amount of data.